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ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
KAREN BUDDENHAGEN, et al.,

Plaintiffs,

-against-

CITY OF BEACON, et al.,Defendants.
-----X

Related case # 07cv8644
 04 Civ. 290 (SCR) (MDF)
 STIPULATION TO EXTEND DISCOVERY
 + PARTIAL STIPULATION OF
 SETTLEMENT FOR PLAINTIFFS
 RITCHER + PIACENTE'S

STIPULATION

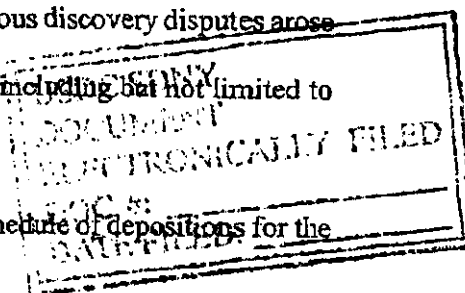
WHEREAS, on January 25, 2008, the Honorable Mark D. Fox, U.S.M.J., SO Ordered the depositions of the parties and certain non-party witnesses to occur on specified dates, a copy of that order is attached hereto as Exhibit "A";

WHEREAS, the Court also allowed the aforementioned schedule to be modified upon the consent of all parties, but that this ability to modify could and did not extend the discovery deadline;

WHEREAS, pursuant to the order of the Court, the plaintiffs' expert reports were to be served on defendants no later than June 30, 2008, that defendants' reports of rebuttal experts (if any) be served on plaintiffs no later than July 30, 2008, and ordered the depositions of all expert witnesses and all of the treating physicians of the plaintiffs identified during their respective depositions to be taken during August 2008;

WHEREAS, during the course of depositions thereafter, numerous discovery disputes arose and were presented to the Court for consideration and determination, including but not limited to requests for extended depositions of certain parties; and

WHEREAS, the Court on April 23, 2008, issued a modified schedule of depositions for the



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parties and ordered the next deposition to proceed, would be Karen Buddenhagen, to be taken over a three day period before a videographer; and

WHEREAS, on April 28, 2008, Judge Fox, upon joint application of the parties Ordered that all discovery, the time for the parties to appeal certain of his Reports and Recommendations, and all the parties discovery obligations to one another, be stayed for sixty (60) days to permit the parties to attempt to resolve the litigation through mediation and stayed the time for the parties to file their objections, pursuant to Rule 72 of the Federal Rules of Civil Procedure;

WHEREAS, as of April 28, 2008, the parties had sixty-three (63) days remaining before Plaintiffs' expert reports had to be served on defendants; ninety-four (94) days remaining before defendants' reports of rebuttal experts had to be served on plaintiffs; and one-hundred twenty-three (123) days remaining to depose experts and the plaintiffs' treating physicians;

WHEREAS, on May 21, 2008, Judge Fox approved the parties' joint application to continue the April 28, 2008, stay through July 11, 2008, so that mediation could take place on July 9-10, 2008, a copy of said order is attached hereto as Exhibit "B";

WHEREAS, on July 9-10, 2008, the parties with Ruth D. Raisfeld, Esq., acting as mediator, engaged in good faith negotiations that resulted in agreements to settle the claims of Karen Richter and Detective Jennifer Piacente's in the above-captioned litigation as well as the separately stated claims of Detective Piacente in *Piacente v. City of Beacon*, Docket No. 07 Civ. 8644 (SCR), but that

The parties need additional time to attempt to negotiate settlements of the claims of Gregg and Karen

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by signatures of their counsel appearing on more than one page;

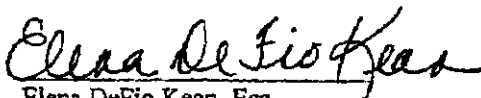
IT IS HEREBY ORDERED that the stay Order entered on April 28, 2008, and extended on May 19, 2008, is hereby extended until July 28, 2008, with the remaining time for discovery as stated above;

IT IS FURTHER ORDERED that in the event the parties are not able to settle the remaining claims, the parties are ordered to negotiate a new deposition schedule consistent with the remaining time stated above;

IT IS FURTHER ORDERED that the deposition schedule will be consistent with the order of the parties as So Ordered by this Court on April 23, 2008, unless agreed to by all parties to the contrary;

IT IS FURTHER ORDERED, that expert disclosures shall be made within the remaining time as stated above;

IT IS FURTHER ORDERED that the parties shall submit a written report on the status of negotiations of the remaining claims and a schedule of the remaining depositions no later than August 1, 2008.



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by signatures of their counsel appearing on more than one page;

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Counsel for Plaintiffs

Dated: White Plains, New York
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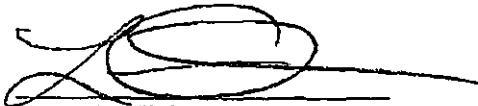
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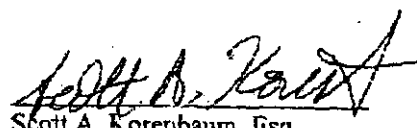
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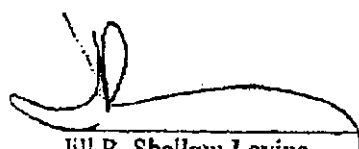
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SO ORDERED:

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Mark D. Fox, U.S.M.J.

MARK D. FOX
United States Magistrate Judge
Southern District of New York